

a receiver disposed within the communication device, the receiver configured to receive information transmitted via electromagnetic waves, wherein the receiver is specifically configured to receive the user identification data transmitted from the remote access unit by recognizing and synchronizing to the synchronization bits.

REMARKS

Present Status of the Application

The Office Action finally rejected claims 1-15 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patents 5,221,838 to Gutman *et al.* Additionally, the Office Action rejected claim 16 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out the subject matter which Applicant regards as the invention. After entry of the foregoing amendment, claims 1-16 remain pending in the present application, and reconsideration of those claims is respectfully requested.

Summary of Applicant's Invention

The present invention is generally directed to a system for providing the transmission of user identification (*e.g.*, account/billing information) to a communicating device, such as a telephone. In accordance with one aspect of the invention, the system includes a telephone, and receiving means provided at the telephone for receiving data transmitted via a electromagnetic waves. Although not necessary for the invention, in a preferred the telephone includes a card reader for receiving and reading magnetically encoded cards. In this embodiment, the receiving

means is operatively and electrically connected to the magnetic card reader, so as to allow the system to operate either by access from a remote transmitter or by way of an inserted card. The system of the invention further includes a remote access unit having a memory configured to store user identification data and a low-power transmitter adapted to transmit the user identification data to the receiving means. The remote access unit is manually operated by a transmit button, which, when depressed, causes a controller to retrieve user identification data from the memory and transmit the user identification data from the low-power transmitter.

In accordance with the broad aspect of the invention, the system communicates information to a communicating device, such as a telephone. However, the device could more broadly be a computer/modem, an ISDN converter, a cable box, *etc.* For example, a computer user dialing out to a remote, or long distance location, may supply the modem with the calling card number for billing simply by pressing the transmit button. In similar fashion, billing information may be communicated to a cable box. Recent technology developments are expanding the use of cable services, and two-way interactive cable services are rapidly approaching. In such uses, depending upon the application, it may be desirable to transmit billing or account information from a customer premise. A transmitter, constructed in accordance with the invention, may be used provide this capability.

Discussion of the Office Action Rejections

The Office Action has rejected claims 1-16 as being unpatentable over U.S. Patent 5,221,838 to Gutman *et al.* Applicant has reviewed the arguments presented in the Office Action and has found the arguments to be unpersuasive. In this regard, Applicant respectfully disagrees with the characterization that *Gutman* discloses a system for transmitting billing information to a communication device comprising all of the limitations recited in Applicant's claims 1 - 16.

In order to reduce the number of disputed issues and to facilitate early allowance and issuance of the claims of the present invention, Applicant has amended independent claims 1, 9, 12, 14, 15 and 16 and respectfully asserts that the pending claims are in condition for allowance. In particular, Applicant has amended the aforementioned claims to recite a remote access unit configured for one way communication with the communications device. Applicant respectfully asserts that at least this additional feature is clearly not present in the asserted prior art reference and therefore, any dispute as to the claims not being in condition for allowance should be resolved.

Since the aforementioned amendments have been submitted for the purpose of facilitating early allowance and issuance of the claims, and not merely for the purpose of defining over the asserted prior art references, as Applicant respectfully asserts that the claims prior to this amendment were in condition for allowance. Applicant reserves the right to pursue the subject matter of the unamended claims in a continuing application, if Applicant so chooses, and does not intend to dedicate any of the subject matter to the public.

In re Application of Thomas D. Petite
Serial No. 08/910,980

CONCLUSION

In view of the foregoing, Applicant respectfully submits that all claims 1-16 are in proper condition for allowance, and the Examiner is respectfully requested to pass this case to issuance.

If, in the opinion of the Examiner a teleconference would expedite the processing of the present application, then the Examiner is invited to contact the undersigned.

Respectfully Submitted,



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